



Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Forty-eighth Meeting Day

Thursday Morning

April 17, 2003

The House convened at 9:30 a.m. with the Speaker in the Chair.

The invocation was offered by Pastor Doug Vogel, Free Methodist Church, Winona Lake, the guest of Representative David A. Wolkins.

The Pledge of Allegiance to the Flag was led by Representative Wolkins.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus ☐
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta ☐	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 591: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

Christy Stutzman, the wife of Representative Stutzman, sang the "Star Spangled Banner".

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, April 21, 2003, at 11:00 a.m.

DENBO

Motion prevailed.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 242	Conferees: Cheney and Koch
	Advisors: Weinzapfel and Ayres
ESB 523	Conferees: Avery and Buell
	Advisors: Kromkowski and Becker

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1010	Conferees: Ayres replacing Kruse
	Advisor: Lehe
EHB 1019	Advisor: Buck
EHB 1130	Conferees: T. Brown replacing Becker
	Advisors: Frizzell replacing Lehe
EHB 1219	Advisor: Turner
EHB 1241	Conferees: Torr replacing Leonard
	Advisors: Leonard replacing Torr
EHB 1242	Advisor: Ruppel
EHB 1378	Advisor: Hinkle
EHB 1470	Advisor: Murphy
EHB 1519	Advisor: Koch
EHB 1558	Conferees: Budak replacing Whetstone
	Advisor: Torr
EHB 1689	Advisor: Noe
EHB 1788	Advisor: Cherry
EHB 1797	Advisor: Gutwein
EHB 1798	Advisor: Heim replacing Saunders
ESB 169	Advisor: Pond
ESB 389	Conferees: Borror replacing Leonard
	Advisor: Leonard
ESB 465	Advisor: McClain
ESB 533	Advisors: T. Brown replacing Bosma

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following

Senators a conference committee to confer on Engrossed House Bill 1010:

Conferees: Landske and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1019:

Conferees: Miller and Breaux
Advisors: Gard and Simpson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1130:

Conferees: Miller and Breaux
Advisors: Riegsecker and Simpson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1210:

Conferees: Wyss and Craycraft

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1219:

Conferees: Landske and Lanane
Advisors: Zakas and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1241:

Conferees: Harrison and Antich

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1242:

Conferees: Skillman and Dembowski

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following

Senators a conference committee to confer on Engrossed House Bill 1378:

Conferees: Server and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1470:

Conferees: Riegsecker and L. Lutz

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1519:

Conferees: Skillman and Hume

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1558:

Conferees: Harrison and Bowser
Advisors: Lubbers and Craycraft

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1605:

Conferees: Jackman and Lanane

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1689:

Conferees: C. Lawson and Howard
Advisors: Drozda and Mrvan

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1730:

Conferees: Wyss and Mrvan

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following

Senators a conference committee to confer on Engrossed House Bill 1734:

Conferees: Server and Rogers
Advisors: Ford and Sipes

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1757:

Conferees: Miller and Rogers
Advisors: Gard and Simpson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1788:

Conferees: Weatherwax and Lewis
Advisors: Borst and Howard

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1797:

Conferees: Jackman and Craycraft

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1834:

Conferees: Paul and Lewis

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 57 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Server, Chair; and Simpson
Advisors: Harrison and R. Young

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 62 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: C. Lawson, Chair; and Breaux

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 286 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Long, Chair; and Broden
Advisors: Zakas and Lanane

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 337 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Waterman, Chair; and Simpson
Advisors: Riegsecker and Breaux

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 479 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Clark, Chair; and Simpson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 482 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Waterman, Chair; and Rogers
Advisors: Long and Skinner

MARY C. MENDEL
Principal Secretary of the Senate

**MOTIONS TO CONCUR
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1434.

WELCH

Roll Call 592: yeas 45, nays 53. Motion failed.

**MOTIONS TO DISSENT
FROM SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 2008 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1749 and that the Speaker

appoint a committee to confer with a like committee from the Senate and report back to the House.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1545 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1410 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

MAYS

Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 11:20 a.m. with the Speaker in the Chair.

Representatives Buell, Espich, and Turner were excused for the rest of the day.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1260.

AVERY

Roll Call 593: yeas 90, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1510.

WELCH

Roll Call 594: yeas 70, nays 20. Motion prevailed.

Representatives Avery, Cochran, and Crawford were excused for the rest of the day.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1748.

FRY

Roll Call 595: yeas 90, nays 0. Motion prevailed.

Representative LaPlante was excused for the rest of the day.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1791.

HASLER

Roll Call 596: yeas 88, nays 1. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1813.

CRAWFORD

Roll Call 597: yeas 90, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1902.

DENBO

Roll Call 598: yeas 79, nays 12. Motion prevailed.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1022, 1089, 1131, 1148, 1151, 1368, 1489, 1492, 1523, 1660, 1692, 1728, and 1858; Senate Enrolled Acts 289, 375, 412, and 508; and Senate Enrolled Joint Resolution 5 on April 17.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on Engrossed Senate Bill 232:

Advisors: Wyss and Long

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on Engrossed Senate Bill 501:

Advisors: Alting and Breaux

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 43 and 48 and the same are herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 54, 70, 72, and 73 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1082 Conferees: Weinzapfel and Foley
Advisors: Chowning, Mahern, and Koch

EHB 1243 Conferees: Stevenson and Ayres
Advisors: Lytle and Saunders

EHB 1336 Conferees: T. Adams and Kruse
Advisors: Bischoff and Hoffman

EHB 1369 Conferees: Kuzman and Alderman
 Advisors: Lytle and Leonard
 EHB 1407 Conferees: Fry and Ripley
 Advisors: Reske and Burton
 EHB 1430 Conferees: Mahern and Richardson
 Advisors: Weinzapfel and Murphy
 EHB 1439 Conferees: Bottorff and Heim
 Advisors: Cochran, Oxley, Robertson, and Wolkins
 EHB 1481 Conferees: Liggett and Torr
 Advisors: Pflum and Gutwein
 EHB 1552 Conferees: Bischoff and Mangus
 Advisors: Robertson and Buck
 EHB 1573 Conferees: Kromkowski and Scholer
 Advisors: Liggett and Friend
 EHB 1630 Conferees: Welch and Pond
 Advisors: Austin and Budak
 EHB 1655 Conferees: Bardon and Burton
 Advisors: Oxley and Cherry
 EHB 1659 Conferees: Bottorff and Wolkins
 Advisors: Crooks and Stutzman
 EHB 1671 Conferees: Bottorff and Heim
 Advisors: Pierce and Cherry
 EHB 1701 Conferees: C. Brown and Becker
 Advisors: Day, T. Brown, and Behning
 EHB 1707 Conferees: Klinker and Scholer
 Advisors: Austin, Porter, and Hoffman
 EHB 1749 Conferees: Fry and Ripley
 Advisors: Avery and Frizzell
 EHB 1811 Conferees: Crawford and Turner
 Advisors: Cochran and Buell
 EHB 2008 Conferees: Crawford and Bosma
 Advisors: Hasler, Kuzman, Yount, Turner, and Espich

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 57 Conferees: C. Brown and Becker
 Advisors: Austin and T. Brown
 ESB 144 Conferees: L. Lawson and Foley
 Advisors: Dickinson and Ulmer
 ESB 160 Conferees: Bottorff and Wolkins
 Advisors: Goodin, Dvorak, and Neese
 ESB 172 Conferees: Oxley and Bosma
 Advisor: D. Young
 ESB 176 Conferees: Kuzman and Friend
 Advisors: Lytle, Duncan, and Whetstone
 ESB 178 Conferees: Fry and Ripley
 Advisors: Reske and Buck
 ESB 186 Conferees: Porter and Behning
 Advisors: Pflum and Noe
 ESB 187 Conferees: Porter and Pond
 Advisors: V. Smith, Behning, and Scholer
 ESB 201 Conferees: Stevenson and Hinkle
 Advisors: Oxley and Neese
 ESB 207 Conferees: Bottorff and Stutzman
 Advisors: Pierce and Wolkins
 ESB 210 Conferees: Summers and Becker
 Advisors: Oxley and T. Brown

ESB 230 Conferees: Porter and Pond
 Advisors: V. Smith and Hoffman
 ESB 262 Conferees: Mahern and Buck
 Advisors: Weinzapfel and Ripley
 ESB 267 Conferees: Oxley and Thomas
 Advisor: Saunders
 ESB 268 Conferees: Mahern and Richardson
 Advisors: Weinzapfel and Stine
 ESB 280 Conferees: Mahern and Buell
 Advisors: Lytle and Murphy
 ESB 286 Conferees: Dvorak and Koch
 Advisors: Weinzapfel and Thomas
 ESB 337 Conferees: Crawford and Buck
 Advisors: Grubb and Duncan
 ESB 341 Conferees: Fry and Ripley
 Advisors: Robertson and Murphy
 ESB 343 Conferees: C. Brown and T. Brown
 Advisors: Orentlicher and Frizzell
 ESB 383 Conferees: Fry and Ripley
 Advisors: Denbo and Buck
 ESB 405 Conferees: Mahern and Duncan
 Advisors: Reske, Saunders, and Buck
 ESB 410 Conferees: Hasler and Turner
 Advisors: Kromkowski and Buell
 ESB 435 Conferees: Bardon and Ripley
 Advisors: Harris and Cherry
 ESB 440 Conferees: Bottorff and Heim
 Advisors: Crooks, Wolkins, and Murphy
 ESB 462 Conferees: Fry and Ripley
 Advisors: Avery and Buck
 ESB 486 Conferees: Liggett and Leonard
 Advisors: Stilwell and Borror
 ESB 490 Conferees: Lytle and Murphy
 Advisors: Bischoff and Koch
 ESB 501 Conferees: Porter and Behning
 Advisors: Goodin, Scholer, and V. Smith
 ESB 506 Conferees: L. Lawson and Foley
 Advisors: Harris and Hinkle

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1458 Advisor: Budak
 EHB 1525 Advisor: Budak
 ESB 501 Advisor: Pond

OTHER BUSINESS ON THE SPEAKER'S TABLE

Pursuant to House Rule 156, conference committee meetings were announced.

On the motion of Representative Cheney, the House adjourned at 12:10 p.m., this seventeenth day of April, 2003, until Monday, April 21, 2003, at 11:00 a.m.

B. PATRICK BAUER
 Speaker of the House of Representatives

DIANE MASARIU CARTER
 Principal Clerk of the House of Representatives